TRANSMITTAL FORM

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Label No.:

Application Number	09/844,153
Filing Date	April 27, 2001
First Named Inventor	Vadim Eydelman
Group Art Unit	2155
Examiner Name	Philip B. Tran
Attorney Docket Number	126551.04

ENCLOSURES *(check all that apply)*

☐ Fee Transmittal Form
   ☐ Fee Attached

☐ Amendment / Reply
   ☐ After Final
   ☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement with Form PTO/SB/08A (pages)

☐ Response to Notice to File Missing Parts
   ☐ A copy of the Notice to File Missing Parts Under 37 CFR 1.52 or 1.5

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(Under 37 CFR § 1.8(a))

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November 1, 2005
Date   Signature

Noemi Tovar
Printed Name

☐ Assignment Papers *(for an Application)*

☐ Drawing(s) (sheets)

☐ Declaration
   ☐ Newly Executed (pages)
   ☐ A copy from a prior application (37 CFR 1.63(d)) (pages)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ General Power of Attorney (SB80)
   ☐ 37 CFR 3.73(b) Statement

☐ Terminal Disclaimer

☐ Request for Refund

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☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Application Data Sheet

☐ Request for Corrected Filing Receipt

☒ Return Receipt Postcard

☒ Other Enclosure(s) *(please identify below)*:
   ☒ **Issue Fee Transmittal**
   ☒ **Comments on Statements of Reasons for Allowance**
   ☒ **Copy of this Transmittal Form**
   ☐
   ☐

Remarks   ☒ The Commissioner is hereby authorized to charge any additional fees required, or credit any overpayments, to Deposit Account No. 50-0463 for the above identified patent application.

SIGNATURE OF ATTORNEY OR AGENT

Signature		Reg. No.	38,222
Name of Attorney or Agent	David Lee		
Date	November 1, 2005	Tel. (425) 703-8092	Facsimile No. (425) 708-5046
Assignee Name:	MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052		
Customer Number:	22971		
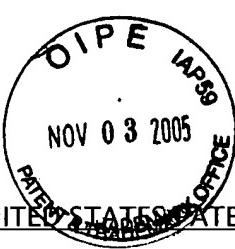
First Named Inventor: Vadim Eydelman   Attorney Docket No.: 126551.04

Application No.: 09/844,153   Group Art Unit: 2155

Filed: April 27, 2001   Examiner: Philip B. Tran

Customer No.:   22971   Confirmation Number: 1777

Applicant: Microsoft Corporation

Title: ADAPTIVE FLOW CONTROL PROTOCOL

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Sir:

The following remarks are respectfully submitted in response to the Reason for Allowance set forth in the Notice of Allowance issued on September 9, 2005, in connection with the above-identified application.

Statements for Reasons for Allowance

The Notice of Allowance indicates that the claims have been allowed because the Examiner has found that the prior art of record does not appear to teach or suggest or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims and subsequent dependent claims. The Examiner states the prior art of record fails to teach or suggest a method and system for transferring data from a sending application to a receiving application in a computer environment having a plurality of data transfer modes and at least one system area network wherein detecting a transfer behavior of the receiving application comprising transferring in an initial transfer mode from the sending application to the receiving

Type of Response: Comments on Statement of Reasons for Allowance
Application Number: 09/844,153
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Filing Date: 04/27/2001

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application a pre-selected number of initial data blocks each having a size greater than a pre-selected threshold size including subsequent steps of receiving a transfer request for each initial data block sent by the sending application, sending a pilot message for informing the receiving application that each initial block is available to be sent, detecting whether the receiving application posts a receive buffer when receiving the transfer request for each initial data block or when the receiving application is informed that each data block is available to be sent , and determining whether the receive buffer exceeds the threshold size.

In addition, the Examiner suggests the prior art of record fails to teach or suggest a method and system for transferring data from a sending application to a receiving application in a computer environment having a plurality of data transfer modes and at least one system area network wherein detecting a transfer behavior of the receiving application comprising combination of features of detecting if the ·receiving application posts receive buffers smaller than a threshold size when the receiving application receives a transfer request or when the receiving application is informed that each data block is available to be sent, sending the data in at least one message having an initial buffer size, if a number of fragmentations of data exceeds a threshold level during a time when a predetermined number of messages is sent then performing subsequent steps of sending a resize request message having a requested buffer size to the receiving application, receiving a new buffer size from the receiving application, and sending data to the receiving application in a data size equal to the new buffer size.

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Applicant's Response To Reasons For Allowance

For at least the following reasons, the Applicant respectfully disagrees with the reasons set forth above by the Examiner.

More particularly, the features recited and disclosed in the subject application are provided by way of example only. As stated in the specification of the application, "In view of the many possible embodiments to which the principles of this invention may be applied, it should be recognized that the embodiment described herein with respect to the drawing figures is meant to be illustrative only and should not be taken as limiting the scope of invention. For example, those of skill in the art will recognize that the elements of the illustrated embodiment shown in software may be implemented in hardware and vice versa or that the illustrated embodiment can be modified in arrangement and detail with departing from the spirit of the invention. Therefore, the invention as described herein contemplates all such embodiments as may come within the scope of the following claims and equivalents thereof." (*see* Specification, paragraph 71).

During prosecution of the application, the paraphrased characterizations of the disclosed and claimed subject matter were never offered and certainly not agreed upon by the Applicant. The Applicant does not acquiesce to such articulations, and further re-emphasizes that the invention as recited in allowed Claims 3-6, 12-15, 21-24 and 28-32, and as supported by the specification is not taught or suggested by the references of record.

Thus, the Applicant submits that the Reasons for Allowance, as stated in the Notice of 9/23/2005, should be withdrawn.

Respectfully submitted,
MICROSOFT CORPORATION

Date: <u>November 1, 2005</u>   By:_____
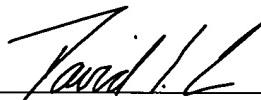
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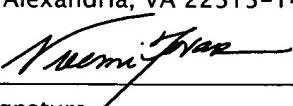
<u>November 1, 2005</u>
Date   Signature

<u>Noemi Tovar</u>
Type or Print Name